



James Roberts dated November 1, 2007. The Court finds the allegations set out in the petition are generally true and finds the Defendant violated the conditions of release.

After providing both parties an opportunity for allocution as to disposition and considering the report of Pretrial Services, I find the Order Setting Conditions of Release (#11) should be revoked. I find Defendant is unlikely to abide by conditions of release. I find that there is no condition or combinations of conditions that would reasonably assure Defendant's presence for further proceedings, or the safety of the community if Defendant were to be released upon conditions.

**IT IS ORDERED:**

1. The Petition for Action on Conditions of Pretrial Release (#21) is granted;
2. The July 31, 2007 Order Setting Conditions of Release (#11) is hereby revoked;

and

3. Defendant is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility separate, to the extent practicable, from persons awaiting or serving sentence or being held in custody pending appeal. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of the Court of the United States or on the request of an attorney for the Government, the person in charge of the correctional facility shall deliver Defendant to the United States Marshal for purpose of an appearance in connection with a court proceeding.

Dated this 2<sup>nd</sup> day of November 2007.

BY THE COURT:

s/ F. A. Gossett  
United States Magistrate Judge